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Political Mail Inspection Set

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A U.S. District judge in Alexandria yesterday ordered the Postal Service to examine all mail sent out at the special third-class bulk rate by nonprofit organizations to insure that the groups are not sending out political material at the special reduced rate.

U.S. District Court Judge Oren Lewis issued the preliminary injunction against the Postal Service and Postmaster General Benjamin F. Bailar after the President Ford Committee and Peter E. Teeley, chairman of the Arlington County Republicans, charged in a suit that Bailar was violating postal regulations by allowing Local 2323 of the Communications Workers of America to mail out campaign material for Jimmy Carter at cheap, bulk rates.

The injunction does not indicate how the Postal Service should examine the mail, nor would Judge Lewis comment after yesterday's hearing on how the Postal Service should carry out his order.

The injunction is almost identical to an order issued by a U.S. judge in Seattle, directing a local postmaster to inspect all mail sent at the third-class bulk rate by unions and other nonprofit organizations.

Brian Gettings, an attorney for the Ford Committee, and Teeley said Lewis' order is more important than the Seattle injunction since it directs Bailar to ensure that regulations on bulk rate mail are being adhered to.

In a joint statement, Teeley and James A. Baker III, chairman of the President Ford Committee, said, "We consider this to be a milestone decision with national consequences. . . . What it means is that the Postal Service will be required to check all union mail to insure its contents were not prepared by candidates or a political party."

The Democrats also hailed Judge Lewis' action as a victory since he had refused to include in the order a proposal by the Ford Committee attorneys that material mailed at the special third class rate "which on its face promotes a single candidate . . . or a single ballot issue" be considered illegal.

Postal Service regulations prohibit nonprofit organizations, such as labor unions, from mailing out material "on behalf of or produced for" an organization that is not authorized to mail at the special reduced rate. James Finch, an attorney for Bailar, said a sample of all letters mailed at the special bulk rate are opened to insure that the senders are not violating this regulation.

He said local postmasters would be notified of Lewis' order and that workers in the mail acceptance units of each post office would be instructed to examine a sampling of letters mailed by nonprofit organizations.

Lewis' preliminary injunction will stay in effect until a trial is held on the complaint filed Wednesday by Teeley and the Ford Committee against Bailar, Local 2323 in Falls Church, the Falls Church postmaster, the 1976 Democratic Presidential Committee and the 10th Congressional District Democratic Committee.

The suit charges that Bailor and Hugh Grubb, the Falls Church postmaster, discriminated against the Ford Committee and its workers in Arlington by allowing Local 2323 to send out campaign literature for Carter at 1.8 cents per letter—the special rate given to nonprofit organizations—while the Ford Committee has had to pay the third class rate of 7.7 cents per letter.

The Ford workers have requested a permanent court order directing Bailor to recover all fees due the Postal Service for mail the unions may have unlawfully sent out at the special reduced rate.